

109TH CONGRESS  
1ST SESSION

# S. 44

To amend title 10, United States Code, to increase the amount of the military death gratuity from \$12,000 to \$100,000.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2005

Mr. HAGEL (for himself, Mr. DEWINE, Mrs. CLINTON, Mr. KENNEDY, Mr. LAUTENBERG, and Mr. SALAZAR) introduced the following bill; which was read twice and referred to the Committee on Armed Services

---

## A BILL

To amend title 10, United States Code, to increase the amount of the military death gratuity from \$12,000 to \$100,000.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Military Death Benefit  
5       Improvement Act of 2005”.

1 **SEC. 2. INCREASE IN DEATH GRATUITY PAYABLE WITH RE-**  
2 **SPECT TO MEMBERS OF THE ARMED FORCES.**

3 (a) AMOUNT OF DEATH GRATUITY.—Section  
4 1478(a) of title 10, United States Code, is amended by  
5 striking “\$12,000” and inserting “\$100,000”.

6 (b) EFFECTIVE DATE.—The amendment made by  
7 subsection (a) shall apply with respect to deaths occurring  
8 on or after November 16, 2001, the date of Executive  
9 Order 13235, relating to National Emergency Construc-  
10 tion Authority.

11 (c) FUNDING.—

12 (1) SOURCE OF FUNDS.—Amounts for the pay-  
13 ment during fiscal year 2005 of death gratuities by  
14 a Secretary concerned under sections 1475 through  
15 1477 of title 10, United States Code, as amended by  
16 subsection (a), shall be derived from amounts made  
17 available for such fiscal year in an Act making emer-  
18 gency supplemental appropriations for defense and  
19 for the reconstruction of Iraq.

20 (2) SECRETARY CONCERNED DEFINED.—In this  
21 subsection, the term “Secretary concerned” has the  
22 meaning given such term in section 101(a)(9) of  
23 title 10, United States Code.

○